

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Geoff W. Taylor

SERIAL NO.: 10/689,019

GROUP ART UNIT: 2814

FILED: October 20, 2003

EXAMINER: Shrinivas H Rao

FOR: Imaging Array Utilizing Thyristor-
Based Pixel Elements

ATT'Y DOCKET: OPE-007

Honorable Commissioner for Patents
Alexandria, VA 22313

Sir:

RESPONSE TO OFFICE ACTION

This is a timely reply to an Office Action dated July 14, 2006. As no claims have been added, and no extension fee is required, no fees are enclosed herewith. If any additional fee is due, please charge the fee to deposit account no. 07-1732.

ELECTION WITH TRAVERSE

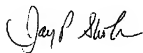
The claims of the present application are subject to a restriction into two groups: Group I (claims 1-26 / imaging device); and Group II (claims 27-51 / method of imaging).

Applicant provisionally elects the claims 1-26 of Group I.

With respect to the restriction between Group I and Group II, Applicant respectfully submits that the Examiner's restriction analysis is incorrect and requests reconsideration of the same. 35 U.S.C. 121 provides for restriction when two or more independent **and** distinct inventions are claimed in the same application. MPEP 802.01. The term "independent" means that there is no disclosed relationship between the subjects, i.e. they are unconnected in design, operation or effect. It is readily apparent that in the present application, the Group II claims 27-51 are connected to the provisionally elected Group I claims 1-26. More specifically, both groups of claims are connected in design by reciting "a plurality of pixel elements, each pixel element including complementary first-type and second-type modulation doped quantum well interfaces that are formed in a resonant cavity on a substrate and that are spaced apart from one another, wherein electromagnetic radiation within the predetermined wavelength range is received at said pixel element and injected into said resonant cavity." Because the invention of claims of Group I and II are not independent, the Examiner's position regarding restriction/election for the group II claims is incorrect. The Applicant respectfully traverses the outstanding restriction requirement and requests reconsideration of the same.

Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jay P. Sbröllini".

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